



Cattaraugus County Sheriffs Office General Order

BY ORDER OF: SHERIFF TIMOTHY S. WHITCOMB 		Subject: CRITICAL INCIDENT RESPONSE				Policy: A32	
Effective: July 21, 2008		Section: ADMINISTRATION					
Rescinded:		Amended: October 30, 2020		Standard(s): 21.1, 21.2			
Reviewed:	9/1/2011	9/6/2013	12/2017				

PURPOSE: The Cattaraugus County Sheriff’s Office is committed to conducting fair, honest, transparent and complete investigations following all critical incidents involving members of the sheriff’s office. A critical incident is defined as a situation where a member of the public, experiences serious physical injury or death, after an encounter with a member of the Cattaraugus County Sheriff’s Office. In the event that an agency member is involved in such encounter, the following procedure will be used.

PROCEDURE:

Responsibilities of officers involved

- Secure the suspect.
- Provide immediate and reasonable emergency medical assistance to the suspect.
- Contact their immediate supervisor over the police radio or request such contact through the dispatch center if the immediate supervisor is unavailable.
- Secure the scene and identify potential witnesses.
- If with another officer, visually check the other officers for any obvious physical injuries, as they may be in shock and not realize that they sustained an injury.
- Cooperate with department supervisors and investigators. Provide a public safety type statement but not provide a detailed statement until they have spoken with union representation and/or counsel.
- Any request for evidence collection, photographs or medical intervention, shall be adhered to.
- Officers will be allowed to contact union representation as well as legal counsel, as soon as possible.



Cattaraugus County Sheriffs Office General Order

- The officers involved in the incident shall be required to be checked out by medical personnel for any possible injuries or trauma.
- The officers involved in the incident should not speak to anyone, including family or friends, regarding the incident until they have spoken with counsel.
- A cover officer will be assigned to you. A cover officer's job is to look after your welfare and to protect the integrity of the investigation. Cover officers will not let you out of their sight, even to use the restroom. The cover officer must maintain custody of any evidence you may have on your person (ie- weapon, magazines, soiled hands, clothing). The cover officer will find a comfortable place for you to wait and will attend to your needs until such time that any evidence has been collected and you have completed an initial statement with investigators.
- You may initiate or receive a telephone call prior to the collection of evidence by investigators only in the presence of your cover officer. Keep in mind that this is not a private conversation.

Immediate Supervisor Responsibilities

- In situations where a member of the Cattaraugus County Sheriff's Office is involved in a critical incident, the immediate supervisor, to avoid possible Garrity issues, should utilize the following questions when speaking directly to the officer or officers involved.
 - Are you injured?
 - If you know of anyone injured, what is their location?
 - In what direction did you fire your weapon?
 - If any suspects are at large, what are their descriptions?
 - What was their direction of travel?
 - How long ago did they flee?
 - For what crimes are they wanted?
 - With what weapons are they armed?
 - What is the location of any evidence that you may be aware of?
 - Did you observe any witnesses and if so, where are they located/
- The supervisor shall direct non-involved officers to tape off the crime scene and preserve any evidence that is present.
- A crime scene log sheet shall be started and NO ONE is to be left off the sheet.
- Notifications to the Sheriff, Undersheriff, Patrol and CIB Captains as well as a member of the District Attorney's office shall be made.
- CIB Investigators and evidence technicians shall be notified at the direction of the CIB Captain.
- Ensure that the officers involved are checked out by medical personnel.



Cattaraugus County Sheriffs Office General Order

- Ensure that all officers involved are isolated from the scene as soon as possible and are returned to the Sheriff's Office.
- Assign personnel to act as a cover officer for all officers directly involved in the incident.
- Ensure that notification is made to the proper union representatives.
- Ensure that all responding officers complete a supplemental report regarding their specific assignments before the end of their shift.
- Ensure that EAP is offered as well as the Sheriff's Office Peer Support Team.
 - The Cattaraugus County Sheriff's Office is committed to the health and well-being of its members. It is imperative that members involved in a critical incident are provided with all practical measures necessary for their care.
- Turn over control of the scene to investigators upon their arrival.

CIB Responsibilities

- The on call Detective will immediately report to the scene. The senior Detective on scene will take control of the scene from the patrol supervisor until such time they are relieved by the CIB command staff.
- CIB is responsible for conducting a criminal investigation.
- Ensure that an entire neighborhood canvas is completed.
- Ensure that any video evidence from private cameras is obtained.
- Contact Accident Reconstruction for "Total Station" measurement if deemed necessary.
- Request evidence technicians respond to the scene.
- Evidence technicians shall conduct collection tasks as they would for any serious offence investigation. In addition, they shall collect all clothing worn by the officers involved, including all weapons, holsters and duty belt.
- The evidence technicians shall document the scene as they would in any serious offence investigation. In addition, they shall photograph the officers involved from head to feet, their uniforms, gun belts, weapons, police vehicles (inside and outside) and shall video the entire scene including any known paths the officers may have followed the suspect through.
- CIB shall take sworn statements from officers that had direct contact with the involved officer(s) or suspect. These statements shall be video recorded.
- Suspect's social media and cell phones shall be collected and processed as soon as possible. Preservation requests shall be conducted as soon as possible.



Cattaraugus County Sheriffs Office General Order

- In the event of the suspect's death, the Chief of Detectives or his designee shall make the death notification to the suspect's family.

Cover Officer Responsibilities

- It is the responsibility of the cover officer to look after the welfare of the officer involved as well as protect the integrity of the investigation. This occurs by:
 - Not allowing the involved officer out of their sight, even to use the restroom.
 - Maintain custody of any evidence on the officer, including weapon(s), duty belt, clothing, soiled hands.
 - Find a location for the officer to wait at the scene until such time as they are directed to return to the Sheriff's Office.
 - Transport the officer to the sheriff's office.
 - Provide water, etc for the officer.
 - Be present for and observant of, any initial phone calls made by the officer. The officer will be afforded the ability to make private calls as soon as possible.
 - Control any undirected interaction the officer has with other people.
 - Continue in this capacity until relieved by Detectives or Command Staff.
 - Document the officer's actions during the time that you are directed to act as a cover officer.

Review of Critical Incidents

When any member uses force against a person and the force results in death or serious physical injury to another person, the incident shall be reviewed by the internal affairs process. (G.O. A33) to insure:

- The incidents involving the use of force are properly evaluated.
- The rule and regulations of the agency were followed.
- Documentation is maintained in the event of future litigation.
- Determine if there is a need for additional training.
- Evaluation and any departmental disciplinary action or other determination shall be forwarded to the Sheriff for any further action.